

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 STR-04 AGR-05 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 ITC-01

TRSE-00 USIA-06 PRS-01 SP-02 FEAE-00 OMB-01 XMB-02

OPIC-03 AGRE-00 AF-08 ARA-06 EA-07 NEA-10 /128 R

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FM SECSTATE WASHDC

TO AMEMBASSY LISBON

INFO AMCONSUL OPORTO

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E.O. 11652: N/A

TAGS: ETRD

SUBJECT: ELIGIBILITY OF PORT WINE AND ANCHOVIES FOR GSP

1. NEITHER 112.01 NOR 167.37 WERE CONSIDERED FOR GSP WHEN INITIAL LIST WAS DRAWN UP. REGARDING 112.01, "ANCHOVIES IN CONTAINERS WEIGHING NOT OVER 15 LBS", DEPARTMENT NOTES THAT US IMPORTS FROM PORTUGAL IN 1975 WERE ONLY \$3,400 OUT OF TOTAL US IMPORTS OF \$165,000. IN ADDITION, THERE ARE TWO OTHER ANCHOVY ITEMS WHICH ARE ALREADY ELIGIBLE FOR GSP. ONE IS 112.03, "ANCHOVIES, OTHER" (I.E. IN CONTAINERS OVER 15 POUNDS), WHERE TOTAL US IMPORTS IN 1975 WERE \$490,000, ALTHOUGH NONE CAME

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FROM PORTUGAL. SECOND CATEGORY IS 112.40 "ANCHOVIES,

IN OIL", WHERE US IMPORTS IN 1975 FROM PORTUGAL WERE \$2 MILLION OUT OF TOTAL US IMPORTS OF \$5.6 MILLION.

2. PORT WOULD BE CLASSIFIED UNDER 167.37 AND IS THUS NOT ELIGIBLE FOR GSP. EMBASSY MAY POINT OUT TO THE PORTUGUESE HOWEVER, THAT WHILE MARSALA, 167.34 IS ELIGIBLE FOR GSP (AND US IMPORTED SMALL AMOUNT FROM PORTUGAL IN 1975), SHERRY 167.35, IS NOT ELIGIBLE FOR GSP. IN ADDITION IT SHOULD BE NOTED THAT US IMPORTS FROM PORTUGAL OF 167.37 IN 1975 WERE \$940,000 OUT OF TOTAL US IMPORTS OF \$1.7 MILLION. THUS, IF ITEM WERE

ON GSP, PORTUGAL WOULD BE ELIMINATED BY COMPETITIVE NEED ON THIS ITEM AS IMPORTS FROM PORTUGAL WERE OVER 50 OF TOTAL US IMPORTS, UNLESS THE ITC DETERMINED THAT A LIKE OR DIRECTLY COMPETITIVE PRODUCT TO PORT WAS NOT PRODUCED IN THE US ON THE DATE THE TRADE ACT WAS ENACTED. (COMPETITIVE NEED SITUATION MAY OF COURSE, CHANGE IN 1977).

3. SHOULD PORTUGUESE PRODUCERS STILL BE INTERESTED IN ADDITION OF EITHER OR BOTH OF THESE ITEMS TO GSP, THEY SHOULD BE INFORMED ABOUT TRADE POLICY STAFF COMMITTEE (TPSC) PETITION PROCESS FOR MAKING CHANGES IN GSP. (SEE STATE 63 AND 68301). FYI NEXT REVIEW PROCESS WILL CONSIDER PETITIONS RECEIVED BY TPSC BEFORE NOVEMBER 1, 1976. END FYI. WE BELIEVE THAT BEST COURSE OF ACTION FOR PORTUGUESE FIRM INTERESTED IN ADDITION OF PRODUCT WOULD BE TO CONTACT THE US IMPORTER OR END-USER AND HAVE THEM FILE A PETITION.

4. FYI TPSC WILL CONSIDER REQUESTS FOR PRODUCT CHANGES RECEIVED IN DIPLOMATIC NOTES FROM GOVERNMENTS. HOWEVER, WE BELIEVE THAT PETITION BY DIRECTLY AFFECTED IMPORTER FAMILIAR WITH THE PRODUCTS INVOLVED AND BETTER ABLE TO RESPOND TO QUESTIONS AND PROVIDE NECESSARY INFORMATION WOULD BE MORE PERSUASIVE WITH TPSC. THUS WE BELIEVE THAT PETITION BY DIRECTLY INVOLVED PARTY AS DESCRIBED ABOVE WOULD BE PREFERABLE. END FYI ROBINSON

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